

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Luckhurst et al. Art Unit : 1626
Serial No. : 10/508,331 Examiner : Susannah Lee Chung
Filed : September 17, 2004
Title : PIPERIDINE DERIVATIVES USEFUL AS MODULATORS OF CHEMOKINE
RECEPTOR ACTIVITY

MAIL STOP PETITIONS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO REVIVE APPLICATION UNDER 37 C.F.R. § 1.137(b)

Applicants hereby petition under 37 C.F.R. § 1.137(b) to revive the above application, which was abandoned effective October 28, 2008 for late payment of the issue fee in response to the Notice of Allowance mailed on July 28, 2008.

After the Notice of Allowance was mailed, the Examiner issued a Supplemental Notice of Allowability on August 18, 2008, to correct certain errors in the Notice of Allowance. Prior to October 28, 2008, Applicants contacted the Examiner by telephone to ask whether the deadline for paying the issue fee was October 28, 2008, i.e., three months from the mailing date of the Notice of Allowance, or November 18, 2008, i.e., three months from the mailing date of the Supplemental Notice of Allowability. The Examiner advised Applicants that the deadline was the latter date.

Applicants, relying on the Examiner's advice, submitted the issue fee and the response to the Notice of Allowance on November 4, 2008. A Notice of Abandonment was subsequently issued and received on November 24, 2008, acknowledging the issue fee payment and noting that the payment deadline of October 28, 2008, as set by the Notice of Allowance, had been missed.

Applicants submit that the entire period of delay (7 days) was unintentional.

The \$1,620.00 petition fee required for a large entity as set forth in 37 C.F.R. § 1.17(m) is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: December 5, 2008

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Attorney's Docket No.: 06275-0416US1 / 100644-1P US

As acknowledged in the Notice of Abandonment, the issue fee and response to the Notice of Allowance were previously submitted on November 4, 2008. Applicants believe no other fees or papers are due.

Please apply any other charges to Deposit Account No. 06-1050, referencing Attorney's Docket No. 06275-0416US1.

Respectfully submitted,

Date: December 5, 2008

/Janis K. Fraser/

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